

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-v.-	:	CORRECTED SECOND FINAL
	:	<u>ORDER OF FORFEITURE</u>
	:	
MICHAEL ACKERMAN,	:	20 Cr. 93 (LTS)
	:	
Defendant.	:	
	:	
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WHEREAS, on or about September 8, 2021, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment (the “Preliminary Order of Forfeiture”), forfeiting to the United States all right, title, and interest of MICHAEL ACKERMAN (the “Defendant”) in, *inter alia*, the real property commonly known as:

(i) 2281 Marks Road, Valley City, OH;

(the “Subject Property,” the full legal description of which is attached hereto as Exhibit A);

WHEREAS, the Subject Property constituted or was derived from the proceeds traceable to the commission of the offense charged in Count One of the Indictment that the Defendant personally obtained, but the Defendant titled the Subject Property in the name of Alison Douglas (“Douglas”);

WHEREAS, the Notice of Forfeiture and the intent of the Government to dispose of the Subject Property was posted on an official government internet site (www.forfeiture.gov) beginning on October 7, 2022 for thirty (30) consecutive days, through November 5, 2022, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, and proof of such publication was filed with the Clerk of the Court January 24, 2023 (D.E. 102);

WHEREAS, on or about August 11, 2022, notice of the Preliminary Order of Forfeiture was sent via certified mail to various individuals, including but not limited to Douglas;

WHEREAS, on or about February 2, 2023, Douglas filed a petition claiming an interest in the Subject Property (the “Petition”) (D.E. 107);

WHEREAS, on or about May 18, 2023, the Court granted the Government’s motion dismissing the Petition based on failure to state a cause of action (D.E. 112);

WHEREAS, the Defendant and Douglas were the only people and/or entities known by the Government who had a potential interest in the Subject Property;

WHEREAS, on or about January 25, 2023, the Court entered a Second Final Order of Forfeiture (D.E. 115) (the “Second Final Order of Forfeiture”), forfeiting to the United States all right, title and interest in the Subject Property;

WHEREAS, the Second Final Order of Forfeiture insufficiently described the Subject Property;

WHEREAS, by the entry of the Second Final Order of Forfeiture, all right, title and interest of the Defendant, as well as all right, title and interest of Alison Douglas, or of any other third-party, were thereby extinguished, and title to the Subject Property was thereby forfeited and vested in the United States, pursuant to Title 21, United States Code, Section 853(n)(7); and

WHEREAS, the Government is requesting, pursuant to Rule 36, entry of this Corrected Second Final Order of Forfeiture to conform the description of the Subject Property to the legal description set forth as Exhibit A, and to more particularly affirm the rights, title and interests in the Subject Property that have been forfeited and vested in the United States;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the Subject Property, which is more particularly described in Exhibit A attached hereto, including but not limited to the right, title and interest of Alison Douglas, or any other third-party, is hereby forfeited and vested in the United States of America, and shall be disposed of according to law.

2. Pursuant to Title 21, United States Code, Section 853(n)(7) the United States of America shall and is hereby deemed to have clear title to the Subject Property.

3. United States Customs and Border Protection (or its designee) shall take possession of the Subject Property and dispose of the same according to law, in accordance with Title 21, United States Code, Section 853(h).

Dated: New York, New York
February 10, 2025

SO ORDERED:

/s/ Laura Taylor Swain

HONORABLE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A

Exhibit A

PARCEL NO. 1: (Tax Parcel No. 001-02C-15-016)

SITUATED IN THE TOWNSHIP OF BRUNSWICK HILLS, COUNTY OF MEDINA, AND STATE OF OHIO, AND KNOWN AS BEING PART OF ORIGINAL BRUNSWICK TOWNSHIP LOT NO. 21, TRACT NO. 1, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF SLEEPY HOLLOW ROAD, T.H. 136, 60 FEET WIDE, AND MARKS ROAD, C.H. 22, 60 FEET WIDE, SAID POINT BEING THE NORTHWEST CORNER OF BRUNSWICK HILLS TOWNSHIP LOT NO. 21, TRACT NO. 1;

THENCE SOUTH 0° 28' 19" WEST, ALONG THE CENTERLINE OF MARKS ROAD AND THE WESTERLY LINE OF SAID LOT NO. 21, 859.37 FEET TO THE *PRINCIPAL PLACE OF BEGINNING* OF THE PARCEL DESCRIBED HEREIN;

THENCE SOUTH 89° 56' 28" EAST, 769.89 FEET TO A POINT;

THENCE SOUTH 0° 28' 19" WEST, 370.55 FEET TO A POINT;

THENCE NORTH 89° 31' 41" WEST, 769.87 FEET TO A POINT IN THE CENTERLINE OF MARKS ROAD AND THE WESTERLY LINE OF SAID LOT NO. 21;

THENCE NORTH 0° 28' 19" EAST, ALONG THE CENTERLINE OF MARKS ROAD AND THE SAID WESTERLY LINE OF LOT NO. 21, 80.00 FEET TO A POINT;

THENCE SOUTH 89° 31' 41" EAST; 264.00 FEET TO A POINT;

THENCE NORTH 0° 28' 19" EAST, 165.00 FEET TO A POINT;

THENCE NORTH 89 ° 31' 41" WEST, 264.00 FEET TO A POINT IN THE CENTERLINE OF MARKS ROAD AND THE WESTERLY LINE OF SAID LOT NO. 21;

THENCE NORTH 0° 28' 19" EAST, ALONG THE CENTERLINE OF MARKS ROAD AND THE SAID WESTERLY LINE OF LOT NO. 21, 120.00 FEET TO THE *PRINCIPAL PLACE OF BEGINNING*, AND CONTAINING THEREIN 5.5000 ACRES OF LAND AS SURVEYED IN MAY 1990 BY THOMAS A. CUNNINGHAM, REGISTERED SURVEYOR NO. 5274, BE THE SAME MORE OR LESS, BUT SUBJECT TO ALL LEGAL HIGHWAYS.

PARCEL NO. 2: (Tax Parcel No. 001-02C-15-017)

SITUATED IN THE TOWNSHIP OF BRUNSWICK HILLS, COUNTY OF MEDINA, AND STATE OF OHIO, AND KNOWN AS BEING PART OF ORIGINAL BRUNSWICK TOWNSHIP LOT NO. 21, TRACT NO. 1, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF SLEEPY HOLLOW ROAD, T.H. 136, 60 FEET WIDE, AND MARKS ROAD, C.H. 22, 60 FEET WIDE, SAID POINT BEING THE NORTHWEST CORNER OF BRUNSWICK HILLS TOWNSHIP LOT NO. 21, TRACT NO. 1;

THENCE SOUTH 0° 28' 19" WEST, ALONG THE CENTERLINE OF MARKS ROAD AND THE WESTERLY LINE OF SAID LOT NO. 21, 859.37 FEET TO A POINT;

THENCE SOUTH 89° 56' 28" EAST, 769.89 FEET TO THE *PRINCIPAL PLACE OF BEGINNING* OF

THE PARCEL DESCRIBED HEREIN;

THENCE CONTINUING SOUTH 0° 56' 28" EAST, 234.59 FEET TO A POINT;

THENCE SOUTH 0° 28' 19" WEST, 372.24 FEET TO A POINT;

THENCE NORTH 89° 31' 41" WEST, 234.58 FEET TO A POINT;

THENCE NORTH 0° 28' 19" EAST, 370.55 FEET TO THE *PRINCIPAL PLACE OF BEGINNING*, AND CONTAINING THEREIN 2.0000 ACRES OF LAND AS SURVEYED IN MARCH, 1991 BY THOMAS A. CUNNINGHAM, REGISTERED SURVEYOR NO. 5274, BE THE SAME MORE OR LESS, BUT SUBJECT TO ALL LEGAL HIGHWAYS.

PARCEL NO. 3: (Tax Parcel No. 001-02C-15-033)

SITUATED IN THE TOWNSHIP OF BRUNSWICK HILLS, COUNTY OF MEDINA, AND STATE OF OHIO AND KNOWN AS BEING PART OF ORIGINAL BRUNSWICK TOWNSHIP LOT NO. 21, TRACT 1, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF SLEEPY HOLLOW ROAD, T.H. 136, 60 FEET WIDE, AND MARKS ROAD, C.H. 22, 60 FEET WIDE, SAID POINT BEING THE NORTHWEST CORNER OF BRUNSWICK HILLS TOWNSHIP LOT NO. 21, TRACT 1;

THENCE SOUTH 0° 28' 19" WEST, 859.37 FEET ALONG THE CENTERLINE OF MARKS ROAD AND THE WESTERLY LINE OF SAID LOT NO. 21 TO THE NORTHEAST CORNER OF A 5.5000 ACRE PARCEL OF LAND CONVEYED TO KENNETH E. JR. AND HARRIET D. MACK;

THENCE SOUTH 89° 44' 28" EAST, 1009.23 FEET ALONG THE NORTH LINE OF SAID MACK PARCEL AND THE NORTH LINE OF A 2.000 ACRE PARCEL OF LAND CONVEYED TO KENNETH E. JR. AND HARRIET D. MACK TO THE NORTHEAST CORNER THEREOF, SAID POINT BEING IN THE SOUTH LINE OF A 4.1834 ACRE PARCEL OF LAND CONVEYED TO DAVID C. AND MARY JO WEISS AND BEING THE *PRINCIPAL PLACE OF BEGINNING* OF THE PARCEL DESCRIBED HEREIN;

THENCE SOUTH 89° 44' 28" EAST, 235.97 FEET ALONG THE SOUTH LINE OF SAID WEISS PARCEL AND THE SOUTH LINE OF A 4.1246 ACRE PARCEL OF LAND CONVEYED TO KRISTEN H. YOUNG AND ERIC H. HELT TO A POINT;

THENCE SOUTH 0° 28' 19" WEST 369.63 FEET TO A POINT;

THENCE NORTH 89° 31' 41" WEST, 235.97 FEET TO THE SOUTHEAST CORNER OF SAID MACK PARCEL;

THENCE NORTH 0° 28' 19" EAST, 368.75 FEET ALONG THE EAST LINE OF SAID MACK PARCEL TO THE *PRINCIPAL PLACE OF BEGINNING* AND CONTAINING THEREIN 2.0000 ACRES OF LAND AS SURVEYED IN AUGUST, 1995 BY THOMAS A. CUNNINGHAM, REGISTERED SURVEYOR NO. 5274, BE THE SAME MORE OR LESS, BUT SUBJECT TO ALL LEGAL HIGHWAYS.

Property Commonly Known as: 2281 Marks Road, Valley City (aka Brunswick Hills), Ohio 44280